Clean Copy of Amended Claims 32, 36-37, 46, 52 and 93

32. (Twice Amended) A diagnostic method for indirectly determining the presence of lipidic particles in cell membranes from a sample suspected of having anti-lipidic particle antibodies from an individual suspected of suffering primary antiphospholipid syndrome or a disease associated with secondary antiphospholipid syndrome, wherein the presence of said lipidic particles in cell membranes allows diagnosis of whether said individual is developing an illness associated with the presence of antiphospholipid antibodies though said individual does not present anti-cardiolipin antibodies, lupus anti-coagulant, anti-DNA antibodies or anti-nuclear antibodies, comprising:

a) removing a sample suspected of having anti-lipidic particle antibodies from said individual, ~~wherein~~ testing said sample from said individual to determine that said sample does not present anti-cardiolipin antibodies, lupus anti-coagulant, anti-DNA antibodies or anti-nuclear antibodies;

b) combining the removed sample with an antigen having said lipidic particles, said lipidic particles being immersed in a bilayer structure but not forming part of the bilayer structure, wherein said combining is under conditions effective to permit binding of anti-lipidic particle antibodies present in the sample to said antigen thereby forming a first mixture;

c) adding to the first mixture a detectable-labeled reagent useful for detecting binding of anti-lipidic particle antibodies to the antigen having lipidic particles thereby forming a second mixture;

d) detecting the presence of anti-lipidic particle antibodies in the sample bound to the antigen having lipidic particles in the second mixture, wherein said detection of anti-lipidic particle antibodies bound to the antigens having lipidic particles is an indirect indication of the presence of lipidic particles in cell membranes of said individual; and

e) correlating the presence of anti-lipidic particle antibodies in the second mixture with immune damage in cell membranes having lipidic particles of said individual as one of the first events in illness associated with the presence of antiphospholipid antibodies.

D1 cont

3 ~~36.~~ (Amended) The method of claim ~~35~~ 2, wherein the detectable-labeled anti-human immunoglobulin second antibodies comprises at least one anti-human immunoglobulin antibody directed against at least one human immunoglobulin class, and the presence of anti-lipidic particle antibodies is determined as one antibody selected from the group consisting of anti-lipidic particles IgG, IgM and IgA antibodies.

D2

4 ~~37.~~ (Amended) The method of claim ~~32~~ 1, wherein the detectable-labeled reagent comprises one component selected from the group consisting of enzymes and fluorochromes, said

component being attached to one element selected from the group consisting of polyvalent anti-immunoglobulins, anti-IgG, IgM and IgA immunoglobulin second antibodies.

46. (Twice Amended) A kit for use in an assay to indirectly determine the presence of lipidic particles in cell membranes from a sample suspected of having anti-lipidic particle antibodies from an individual suspected of suffering primary antiphospholipid syndrome or one disease associated with secondary antiphospholipid syndrome, wherein the presence of said lipidic particles in cell membranes allows diagnosis of whether said individual is developing an illness associated with the presence of antiphospholipid antibodies though said individual does not present anti-cardiolipin antibodies, lupus anti-coagulant, anti-DNA antibodies or anti-nuclear antibodies; comprising:

a) an indicator reagent comprising an antigen having lipidic particles to be contacted with the sample from said individual under conditions effective to permit binding of anti-lipidic particle antibodies present in the sample to the lipidic particles of the antigen, wherein said sample from said individual does not present anti-cardiolipin antibodies, lupus anti-coagulant, anti-DNA antibodies or anti-nuclear antibodies;

b) a buffer solution as a medium to allow effective conditions for the binding of the anti-lipidic particle antibodies present in the sample to the lipidic particles of the antigen; and

c) a detectable-labeled reagent useful for detecting the binding of anti-lipidic particle antibodies present in the sample to the lipidic particles of the antigen, wherein the presence of the anti-lipidic particle antibodies in the sample can be correlated with immune damage in cell membranes having lipidic particles of said individual as one of the first events in illness associated with the presence of antiphospholipid antibodies.

D3 cont

D4 52. (Amended) The kit of claim 46, ~~wherein the buffer solution~~ has a pH of 7.0 to 7.4.

D5 ~~83~~. (Amended) The method of claim ~~32~~ 1 wherein said lipidic particles have a structural arrangement which is immersed in a bilayer structure of liposomes or cells without forming a part of said bilayer structure.

New Claims 94 and 95

94. The ~~kit of claim~~ 47, wherein said antigen is selected from the group consisting of erythrocytes, leukocytes, and plaquettes, and said antigen is suspended in a medium consisting of a buffer solution that allows effective conditions for the binding of the anti-lipidic particle antibodies present in the sample to the lipidic particles of the antigen.

D6

~~95~~ 94. The method of claim ~~93~~ 8 wherein the structural arrangement of said lipidic particles is selected from the group consisting of arrangements in hexagonal II and micellar phases.